Attorney Docket No. 01149/HG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Yuki ABE et al

Serial No.

Filed : Concomitantly Herewith

For : GENES FROM A GENE CLUSTER

Art Unit

Examiner :

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Washigton, D.C. 20231

Francisco C. Smith

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee. or any other fee required in connection with this Paper to Account No. 06-1378.

PRELIMINARY AMENDMENT FILED CONCOMITANT WITH APPLICATION

Assistant Commissioner for Patents

s I R:

Please amend the application as follows.

IN THE CLAIMS:

Please enter the following amended claims 23, 26, 29, 35, 40, 43, 44, 45, 50 and 52.

23. (Amended) A polynucleotide capable of hybridizing under stringent conditions with a polynucleotide according to claim 1.

26. (Amended) A vector comprising a polynucleotide according to claim 1.